

Remarks:

Reconsideration of the application in view of the above amendments and following remarks is requested. Claims 4, 5, 7, and 9-10 are now in the case. Claims 4, 5, 7, and 9 have been amended. Claims 1-3, 6, 8, and 11-26 have been canceled. Applicants assert that the present amendment adds no new matter.

Applicants reserve the right to prosecute claims to cancelled subject matter in one or more continuing applications.

Claim Rejection – 35 USC § 102(b)

Claims 1, 3 and 6 were rejected under 35 U.S.C. 102(b) as being anticipated by Sheppard et al. (WO/ 98/42840A1). The Office Action stated that claims 4, 5, 7, and 9-10 are free of rejection but that they were not in condition for allowance because they depend on rejected claim 1.

Applicants have canceled claims 1, 3, and 6. Claim 4, has been amended to properly incorporate the language of claim 1 from which it depended. Claim 5 has been amended to depend from claim 4. Similarly, claims 7 and 9 have been amended.

On the basis of the above amendments and remarks, Applicants believe that each rejection has been addressed and overcome. Reconsideration of the application and its allowance are requested. If for any reason the Examiner feels that a telephone conference would expedite prosecution of the application, the Examiner is invited to telephone the undersigned at (206) 442-6752.

It is believed that no fee is due. However, in the event that a fee is due, please charge any fee or credit any overpayment to Deposit Account No. 26-0290.

Respectfully Submitted,



Robyn Adams
Registration No. 44,495

Enclosure:

Petition and Fee for Extension of Time

Customer No. 10117
ZymoGenetics, Inc.